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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/496,009	02/01/2000	Raymond W. Ellis	ASYS-01000US0	5583
28554	7590	11/15/2007	EXAMINER	
VIERRA MAGEN MARCUS & DENIRO LLP 575 MARKET STREET SUITE 2500 SAN FRANCISCO, CA 94105			BENGZON, GREG C	
ART UNIT		PAPER NUMBER		
2144				
MAIL DATE		DELIVERY MODE		
11/15/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	09/496,009	ELLIS ET AL.
	Examiner Greg Bengzon	Art Unit 2144

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 August 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4-6,8-16,18-26,39-42,45,47 and 48 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-2, 4-6, 8-16, 18-26, 39-42, 45, 47-48 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This application has been examined. Claims 1-2, 4-6, 8-16, 18-26, 39-42, 45,47-48 are pending. Claims 3,7,17, 23-38, 43,44,46 are cancelled.

Making Final

Applicant's arguments filed 08/28/2007 have been fully considered but they are not persuasive.

The claim amendments regarding -- 'determining a function to be performed'-- do not overcome the disclosure by the prior art as applied in the prior Office Action, as shown below.

The Examiner is maintaining the rejection(s) using the same grounds for rejection and thus making this action FINAL.

Priority

The effective date of the claims described in this application is February 1, 2000.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 4-6, 8-16, 18-26, 39-42, 45,47-48 are rejected under 35 U.S.C.

103(a) as being unpatentable over Rangachari et al. (US Patent 6470227), in view of Tadokoro et al. (US 6463352), further in view of Tenney et al. (US Patent 6944584).

Rangachari disclosed (re. Claim 1) receiving a first request from the remote client system via the network; (see Rangachari, Col. 8, lines 43-46, Col. 9, lines 22-42, Col. 10, lines 45-51)

determining a function to be performed (see Rangachari, Col. 10, lines 52-64, Column 14 Lines 25-35) based at least in part on a first predetermined field contained in said first request; and

sending a first message to the tool in response to said first request and said first type, wherein said first message is operable for controlling an action of said tool (see Rangachari, Col. 6, lines 26-51, Col. 7, lines 20-24 and Col. 8, lines 17-20)

However Rangachari did not disclose (re. Claim 1) using a first predetermined field in a portion of said first request.

While Rangachari disclosed a user interface that a user manipulates for automated control of the devices (Rangachari- Column 9 Lines 33-40, Column 10 Lines

35-60) via the Internet (Rangachari-Column 6 Lines 20-25), Rangachari did not disclose utilizing a Web browser.

Tadokoro disclosed (re. Claim 1) using a first predetermined field in a portion of said first request. See Tadokoro, Co. 10, lines 1-25.

Rangachari and Tadokoro are analogous art because they present concepts and practices regarding distributed software components for controlling machines remotely via a network. It would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tadokoro's teachings of a system for controlling software components for machines in a distributed manner with the teachings of Rangachari, for the purpose of improving workflow efficiency of a system by better monitoring processes, thereby preventing bottlenecks (see Tadokoro, Col. 2, lines 10-25).

Tenney disclosed (re. Claim 1) using a Web browser for controlling motions of devices. (Tenney-Column 6 Lines 55-65)

Rangachari, Tadokoro, and Tenney are analogous art because they present concepts and practices regarding distributed software components for controlling machines remotely via a network. It would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tenney's teachings of a system for controlling software components for machines in a distributed manner with the teachings of Rangachari-Tadokoro, for the purpose of using non-

proprietary network protocols for simplified network communications (Tenney-Column 2 Lines 10-15).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 2) the step of determining an identification of a tool object corresponding to said tool using a second predetermined field in said portion of said request (see rejection of claim 1, supra).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 4) wherein said tools return at least one second message associated with said first action, said method further comprising the step of caching said at least one second message (see Rangachari, Col. 13, lines 50-64, Column 15 Lines 10 and Tadokoro, Col. 13, lines 12-28).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 5) receiving a second request and generating a response to the second request using said second message (Rangachari teaches that methods are invoked between application objects and servers to perform specific tasks outlined within a message), (see Rangachari, Col. 10, lines 52-64, Figure 1J).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 6) the step of sending said response to a client system initiating said first and second requests (Rangachari

teaches that the client is notified of the completion of a task along with any attributes that are need), see Rangachari, Col. 10, lines 64-67, Col. 11, lines 1-3.

Rangachari-Tadokoro-Tenney disclosed (re: Claim 8) receiving a connection request and opening a connection to a client, said connection being operable for communicating requests and responses to said requests (Tadokoro teaches HTTP requests), (see Tadokoro, Col. 12, lines 43-45).

Rangachari-Tadokoro-Tenney disclosed (re: Claim 9) receiving a second request from said client system via said network (see rejection of claim 1 , supra), said second request selected from the group consisting of information requests, expand requests and edit requests (see Tadokoro, Figures 10-14), wherein, in response to said information requests, an HTML page is generated using a set of selected data for a tool object corresponding to a managed tool for sending to said client system, as well as in response to said edit requests, an HTML page is generated having a portion operable for user entry of one or more values for modifying a tool object attribute for sending to said client system and in response to said expand request an HTML page is generated using a set of child object names and relations to a parent object identified in said expand request for sending to said client (Tadokoro, Col. 8, lines 10-37, Col. 9, lines 1-9, Col. 12, lines 21-44).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 10) wherein said first request denotes an execute request (see Rangachari, Col. 10, lines 52-64).

Rangachari-Tadokoro-Tenney disclosed (re. Claim 11,12,13) the limitations of these claims are substantially the same as that of claim 1 , and thus are rejected for the same rationale in rejecting those claims. Furthermore, with regards to the limitations of parsing a script, determining if said script source includes a method signature matching a method signature of said tool object method, and if so, executing a corresponding portion of said script, see Tadokoro, col. 12, lines 21-44 , Rangachari- Column 9 Lines 20, and Tenney-Column 11 Lines 40 ‘Java Remote Method Invocation protocol’ .

Rangachari-Tadokoro-Tenney disclosed (re. Claim 14) wherein said first request is transferred in accordance with the hypertext transfer protocol (HTTP), and said portion corresponds to a uniform resource locator (see Tadokoro, Col. 10, lines 1-47).

Claims 15-16, 18-26, 41-42, and 45 present a data processing system with the same limitations as Claims 1-2, 4-6, 8-14, and 39-40.

Claims 15-16, 18-26, 41-42, and 45 are rejected on the same basis as Claims 1-2, 4-6, 8-14, and 39-40.

Rangachari-Tadokoro-Tenney disclosed (re. Claim 47,48) wherein said first network and said second network utilize the same local area network. (Tenney-Figure 9 Column 11 Lines 5-25)

Response to Arguments

Applicant's arguments filed 08/28/2007 have been considered but are moot in view of the new ground(s) of rejection.

The Applicant presents the following argument(s) [in italics]:

Rangachari does not teach or suggest "receiving a first request from the remote client system via the first network."

The Examiner respectfully disagrees with the Applicant.

Rangachari disclosed a user interface that a user manipulates for automated control of the devices (Rangachari- Column 9 Lines 33-40, Column 10 Lines 35-60) via the Internet (Rangachari-Column 6 Lines 20-25)

Rangachari disclosed that the GUI stations on a display client (Column 14 Lines 20-25) may be run on separate computer systems,(Column 14 Lines 50-60) and that program instructions may be communicated via the Internet. (Column 6 Lines 20-25).

Given this disclosure it would have been obvious to a person of ordinary skill in the

networking art to implement the GUI stations as a remote client and enabling the operator at the GUI station to send commands via the network.

Tenney has overlapping disclosure regarding this claimed invention. Tenney disclosed '*running a Web browser over a network to operate a tool*'. (Tenney-Column 6 Lines 55-65, Column 5 Lines 30-45).

The Applicant presents the following argument(s) [in italics]:

Tadokoro discloses that the unique IP address referred to by the Examiner is associated with a virtual machine object 5 (see Fig. 2a-2b). Tadokoro teaches that each virtual machine object 5 is connected to a single tool. Thus, the virtual machine object cannot comprise "a tool server ...

The Examiner respectfully disagrees with the Applicant.

While Tadokoro describes each virtual machine object as a single tool, the Examiner notes that it would have been an obvious variation of Tadokoro to view the plurality of virtual machine objects as a collection of objects, said collection being equivalent to a tool server serving a plurality of tools.

Further, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

Tadokoro is not relied upon to disclose a tool server. Rangachari disclosed a tool server (Rangachari-Column 7 Lines 30-45). Similarly Tenney also disclosed a tool server (Tenney-Column 5 Lines 30-40). Both Rangachari and Tenney disclosed said tool servers that are able to accept requests via the Internet. It would be obvious to a person ordinary skill in the networking art that the tool servers by Rangachari and Tenney are inter-changeable with the virtual machine object by Tadokoro.

The Examiner notes that the method step of including control information and context information in an HTTP request, wherein control/context information specifies a function to be performed, is well-known in the networking art.

Given Tenney's disclosure to use well-known data exchange protocols (Tenney-Column 6 Lines 40-60) via a web browser it would have been obvious to include control/context information in the request, such as for manually controlling the robot motions. (Tenney-Column 7 Lines 50-60)

Tadokoro disclosed several input control fields (Tadokoro-Column 26 Lines 50-65) indicating a machine function that may be input from the operator browser (Tadokoro-Column 9 Lines 10-25).

It would have been obvious to a person of ordinary skill in the networking art to determine the function being requested by parsing the data structure of the HTTP request.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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